

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

|   |   |                                   |
|---|---|-----------------------------------|
| <b>DIAMONDBACK INDUSTRIES, INC.,</b>    | § |                                   |
|   | § |                                   |
| <b>Plaintiff,</b>                       | § |                                   |
|   | § |                                   |
| v.                                      | § | <b>CASE NO. 6:19-CV-00034-ADA</b> |
|   | § | <b>(CONSOLIDATED WITH</b>         |
| <b>REPEAT PRECISION, LLC, NCS</b>       | § | <b>6:19-CV-00036-ADA)</b>         |
| <b>MULTISTAGE, LLC, NCS MULTISTAGE</b>  | § |                                   |
| <b>HOLDINGS, INC., GARY MARTIN,</b>     | § |                                   |
| <b>GRANT MARTIN, and ROBERT NIPPER.</b> | § |                                   |
|   | § |                                   |
| <b>Defendants.</b>                      |   |                                   |

**PLAINTIFF DIAMONDBACK INDUSTRIES, INC.'S NOTICE OF APPEAL**

Pursuant to Federal Rule of Appellate Procedure 3, Plaintiff Diamondback Industries, Inc. hereby appeals to the United States Court of Appeals for the Federal Circuit from the following:

- the April 3, 2020 Final Judgment, Dkt. No. 205;
- the April 13, 2020 Amended Final Judgment, Dkt. No. 221;
- the April 16, 2020 Corrected Amended Final Judgment, Dkt. No. 228; and,

all adverse interlocutory decisions merged into the aforementioned judgments.

Dated: April 21, 2020

Respectfully submitted,

/s/ David Keltner

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**Counsel for Diamondback Industries, Inc.**

**CERTIFICATE OF SERVICE**

This is to certify that on this 21st day of April, 2020, I electronically filed the foregoing document with the Clerk of the Court for the U.S. District Court, Western District of Texas, Waco Division, using the CM/ECF system of the Court and that a copy of same was served on all counsel of record by either electronic notification or by electronic mail.

/s/ David Keltner

David E. Keltner